

CITY OF WARWICK

LESLIE WALASKA BAXTER

POLICE DEPARTMENT

Chairwoman

99 Veterans Memorial Drive

401-468-4200

JAMES PAOLUCCI

Vice-Chairman

FIRE DEPARTMENT

111 Veterans Memorial Drive

THOMAS P. MCGOVERN

401-468-4000

Clerk

BOARD OF PUBLIC SAFETY

Warwick, Rhode Island 02886

POLICE DEPARTMENT – REGULAR SESSION

BOARD OF PUBLIC SAFETY CONFERENCE ROOM

WARWICK POLICE HEADQUARTERS

January 14, 2014

AGENDA

1. The minutes of the Board of Public Safety meeting held on

**Tuesday, December 17, 2013 to
be submitted for approval.**

ACTION:

2. Colonel Stephen M. McCartney to recommend transfers and reassignments.

ACTION:

LICENSES AND PERMITS

3. Shannon View Inn (Noise Violation/Complaints) – September 27, 2013 (Continuation)

“On Friday, September 27, 2013 at 1942 hours, I (Officer Steven Nelson) was dispatched to 24 Elkland Road for a report of very loud music and I spoke with Sharon Lupo. The music was coming from the rear of 1901 Post Road. The Shannon View Inn was having a band, in an open tent, on the back of the property of 1901 Post Road. I could hear the music noticeably

loud from the front porch of 24 Elkland Road. I was invited inside and at that time the band took a break (stopped playing) and the noise level from the tent subsided to a quieter level.

I waited a few minutes for the noise meter to be dropped off at my location. I calibrated the meter and then started to take readings from the rear of the property line of 24 Elkland Road; the band was playing at this time and was noticeably loud. As I was taking readings, other noise complaints came in to WPD dispatch.

The readings from the rear of 24 Elkland Road were recorded in Call #13-53146:

The meter was taken at the rear property line of 24 Elkland. Noise levels taken with the band playing. It should be noted that the readings were taken when other ambient noise was low.

1st reading 71.4 dba – 78.9 db 2021 hours

2nd reading 71.7 dba – 75.2 db 2029 hours

3rd reading 72.3 dba – 74.9 db 2037 hours

71.8 dba is the average of the lowest reading. Well over the 60 dba limit between 8a.m. – 10 p.m.

I responded over and advised the owner/manager, Mr. David Miller, of the infraction and he stopped the band soon after. I also advised Sgt. Kelly of the results.

On October 2, 2013, I stopped at Shannon View Inn and issued the business a municipal violation #21277 for NOISE (Warwick Ord. 40-13). Mr. David Miller was not at the business but was called on the phone and notified of the violation. I advised Miller that I would have the Bartender sign for the violation. I had Elizabeth Grey, Shannon View employee, sign the violation.

Ms. Grey signed and printed her name. The violation is a pay by mail and a court date of November 21, 2013 at 6 p.m. was given.

Shannon View Inn (Noise Violation/Complaint) – September 28, 2013

“On Saturday, September 28, 2013 at 1926 hours, I was dispatched to Nine Richfield Street for the report of a disturbance. The reporting party, Dianne Wilson (DOB 3/28/42), stated that that music coming

from the Shannon View Inn (1901 Post Road) was exceeding the noise limit.

I then responded over with the noise meter, which I calibrated to measure and to be working properly. Upon arrival, I took a series of five readings over a 15-minute period. While doing so, I recorded the ambient noise level to be at 47 decibels, with the highest reading being at 71 decibels. The average noise readings were determined to be at 61.7 decibels.

I then responded over and spoke with the manager of the Shannon View Inn, who stated that he would turn down the music. I then responded back to Nine Richfield Street, where I conducted further readings. The ambient noise level was again found to be at 47 decibels, with the highest reading of 68 decibels. The average of those noise readings was determined to be 57.3 decibels.

David Miller was issued municipal violation 20952 in hand on October 2, 2013.

Shannon View Inn (Liquor License Violation) – October 12, 2013

On October 12, 2013 Officer Keri Leighton was performing a liquor

law check at 2:12 a.m. at the Shannon View Inn and found three employees inside the establishment after hours.

Due to the aforementioned facts, the management of the Shannon View Inn is in violation of the following rules and regulations issued by the Board of Public Safety for the orderly operation of liquor establishments.

9. CLEARANCE OF PREMISE AND ASSOCIATED AREAS:

A. All patrons shall leave the licensed premise within one-half hour after the required closing time, and all employees and patrons shall leave licensed premises within one hour after the required closing time, and all employees and patrons shall leave the associated parking and outside areas within one hour after the required closing time.

ACTION:

4. Smokey Bones (Liquor License Violation) – December 14, 2013

“On Saturday, December 14, 2013, at approximately 0212 hours, I, Officer Chea, was dispatched to the Smokey Bones Restaurant on 31 Universal Boulevard for a liquor law check.

Upon my arrival, I met with the manager, identified as Eric Baker (DOB 06/29/79). Before speaking with the manager, I observed that there were no customers at the business, there were only two employees there, who were a bartender and a waitress. It was explained to Mr. Baker that for an extension of hours, he needed to contact the Warwick Police Department by 0130 hours to request the extension. Mr. Baker was explained in detail about the policy. He was explained when the last time was that a customer can get an alcoholic beverage, and what time the lights need to be turned on by and when the employees need to leave the establishment. Mr. Baker stated that the extension was only for the clean-up and the paperwork. I informed Mr. Baker, that regardless if it is a customer or an employee, he needed to request an extension by 0130 hours. Mr. Baker stated that he understood and in the future he will contact the Warwick Police Department by 0130 hours.

Please note that I informed Mr. Baxter to advise his management staff and the employees about the liquor law policy and how to request an extension.”

Due to the aforementioned facts, the management of Smokey Bones is in violation of the following rule and regulation issued by the Board of Public Safety for the orderly operation of liquor establishments.

9. CLEARANCE OF PREMISE AND ASSOCIATED AREAS:

A. All patrons shall leave the licensed premise within one-half hour after the required closing time, and all employees and patrons shall leave licensed premises within one hour after the required closing time, and all employees and patrons shall leave the associated parking and outside areas within one hour after the required closing time.

ACTION:

5. Request for Concealed Carry Weapon Permit (New) – EXECUTIVE SESSION

ACTION:

6. Request for Concealed Carry Weapon Permit (New) – EXECUTIVE SESSION

ACTION:

7. Request for Concealed Carry Weapon Permit (New) – EXECUTIVE SESSION

ACTION:

8. Second Class Victualer (New) Shoreline Pizza, LLC
d/b/a Shoreline Pizza
745 West Shore Road

ACTION:

9. Second Class Victualer (New) Motor City Pizza, LLC
Little Caesars Pizza
40-50 Airport Road

ACTION:

10. Second Class Victualer (New) Pizza Hut of America, Inc.
d/b/a Pizza Hut 317104
10 Quaker Lane

ACTION:

11. Second Class Victualer (New) Pizza Hut of America, Inc.
d/b/a Pizza Hut 317106
320 Warwick Avenue

ACTION:

12. Holiday Sales (New) NBX Holdings, LLC
d/b/a NBX Bikes
3480 Post Road

ACTION:

13. Honorary Constable (Renewal) Raymond V. Lee
37 Haswill Street
Warwick, Rhode Island

ACTION:

14. Honorary Constable (Renewal) Eugene P. Kelly
38 Anoka Road
Warwick, Rhode Island

ACTION:

15. Game of Chance/Raffle Susan Whitney
RI Dietetic Association
Event to be held at Goddard Park
April 13, 2014
8:00 a.m. – 2:00 p.m.

ACTION:

16. Game of Chance/Raffle Decio Terra
Ocean State Dice Devils
Event to be held at Crowne Plaza
February 7, 2014
3:00 p.m. – 12:00 a.m.

ACTION:

17. Game of Chance/Raffle Reverend Roland Simoneau
St. Benedict's Church
Event to be held at Church
June 21, 2014
6:00 p.m. – 11:00 p.m.

ACTION:

18. Live Entertainment (Inside – 1 Man Acoustic) Lori Piscopio
Iron Works Tavern
697 Jefferson Boulevard
Jan. 1, 2014 – Dec. 31, 2014

ACTION:

19. Live Entertainment (Inside – Karaoke, DJ) Lori Piscopio
Iron Works Tavern
697 Jefferson Boulevard
Jan. 1, 2014 – Dec. 31, 2014

ACTION:

20. Live Entertainment (Outside) Terry Leal

Carousel Grille

859 Oakland Beach Avenue

May, 2014 – September, 2014

ACTION:

21. Outside Seating CMG Holding

d/b/a Cilantro Mexican Grill

1759 Post Road

March 1, 2014 – Sept. 1, 2014

ACTION:

22. Outside Seating Mizu Corp.

d/b/a Mizu Japanese Steakhouse

2276 Warwick Avenue

April, 2014 – Nov., 2014

ACTION:

23. Private Detective (Renewal) Thomas E. Nye
d/b/a Warwick Security &
Investigative Services
Seven Villa Avenue
Warwick, Rhode Island

ACTION:

24. Private Detective (New) Ivonne Rivas
G4S Compliance & Investigations
Four Depot Road
Groton, CT

ACTION:

25. Private Detective (Renewal) Wayne Flynn
Flynn Investigative Services
167 Custer Street
Warwick, Rhode Island

ACTION:

26. Private Detective (Renewal) Milton Shull

MTS & Associates

245 Totten Pond Road

Waltham, MA

ACTION:

27. Itinerant Vendor Norman Tipple

Bald Hill Flea Market

Fri. 12-5, Sat. 9-5, Sun. 9-5

January, 2014 – December, 2014

ACTION:

Agendas posted at Police Headquarters and City Hall on January 9, 2014.

Individuals in need of interpreter services for the hearing impaired must notify the

City Clerk's office at (401) 738-2000 at least 72 hours prior to meeting.

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BOARD OF PUBLIC SAFETY

Warwick, Rhode Island 02886

Board of Public Safety

Fire Department – Regular Session

January 14, 2014

1. Chief Edmund B. Armstrong to submit retirement request from EMS Coordinator Joseph Pfeiler effective Sunday, January 19, 2014 at 65.022 percent under Pension II as outlined in the current Collective Bargaining Agreement between the City of Warwick and

Local 2748, International Association of Firefighters AFL-CIO effective July 1, 2012 to June 30, 2015. EMS Coordinator Joseph Pfeiler was appointed to the department on May 18, 1987.

ACTION:

2. Based on approval of the above retirement request Chief Edmund B. Armstrong to recommend approval of the following promotions effective Sunday, January 19, 2014:

Captain Jason Umbenhauer to EMS Coordinator

Lieutenant Jonathan Faucher to Captain

Firefighter Andrew Sutton to Rescue Lieutenant

ACTION:

3. Chief Edmund B. Armstrong to submit retirement request from Lieutenant Kevin Armstrong effective Sunday, January 19, 2014 at 61.816 percent under Pension II as outlined in the current Collective Bargaining Agreement between the City of Warwick and Local 2748, International Association of Firefighters AFL-CIO effective July 1, 2012 to June 30, 2015. Lieutenant Kevin Armstrong was appointed to the department on

June 12, 1988.

ACTION:

4. Based on approval of the above retirement request Chief Edmund B. Armstrong to recommend approval of the following promotions effective Sunday, January 19, 2014:

Rescue Lieutenant Matthew Richards to Lieutenant

ACTION:

5. Based on the recommendation of the Fire Marshall, Chief Edmund B. Armstrong to recommend approval of the following flammable permits:

Cumberland Farms #3819, 1196 West Shore Road, Warwick 1402

Cumberland Farms #3829, 3377 Post Road, Warwick 1403

ACTION:

Agendas posted at Police Headquarters and City Hall on January 9, 2014.

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